



Brazoria County Storm Water Quality Coalition

Storm Water Permit

&

TCEQ Construction General Permit

Construction Permit Seminar

April 2010

***Carroll &
Blackman,
Inc.***

Agenda

- Storm Water Permits Overview
- Brazoria County Storm Water Coalition
- Storm Water Permit Application
- TCEQ Construction General Permit Requirements

NPDES Regulations

National Pollution Discharge Elimination System (NPDES)

- ♦ All facilities which discharge pollutants from any point source into waters of the US are required to obtain a permit
- ♦ Created under 1972 FWPCA
- ♦ Focused on reducing pollution from industrial and municipal sewage treatment plant discharges
- ♦ 1987 CWA Amendments added stormwater regulations to the NPDES program
- ♦ EPA oversees the program and its mission is to “protect human health and safeguard the natural environment”

NPDES permit programs:

- ♦ Concentrated animal feeding operations
- ♦ Combined sewer overflows (CSOs)
- ♦ Pretreatment
- ♦ Sanitary sewer overflows (SSOs)
- ♦ **Stormwater**
 - ♦ Construction activities
 - ♦ Industrial activities
 - ♦ Municipal separate storm sewer systems

NPDES Phase II Regulations

EPA developed Phase II permit requirements in 1999. Under Phase II, additional stormwater discharges, not covered under Phase I are required to obtain NPDES permit coverage.

1. **Stormwater discharges from small MS4s in urbanized areas** (smaller MS4s may require permits if NPDES authority designates)

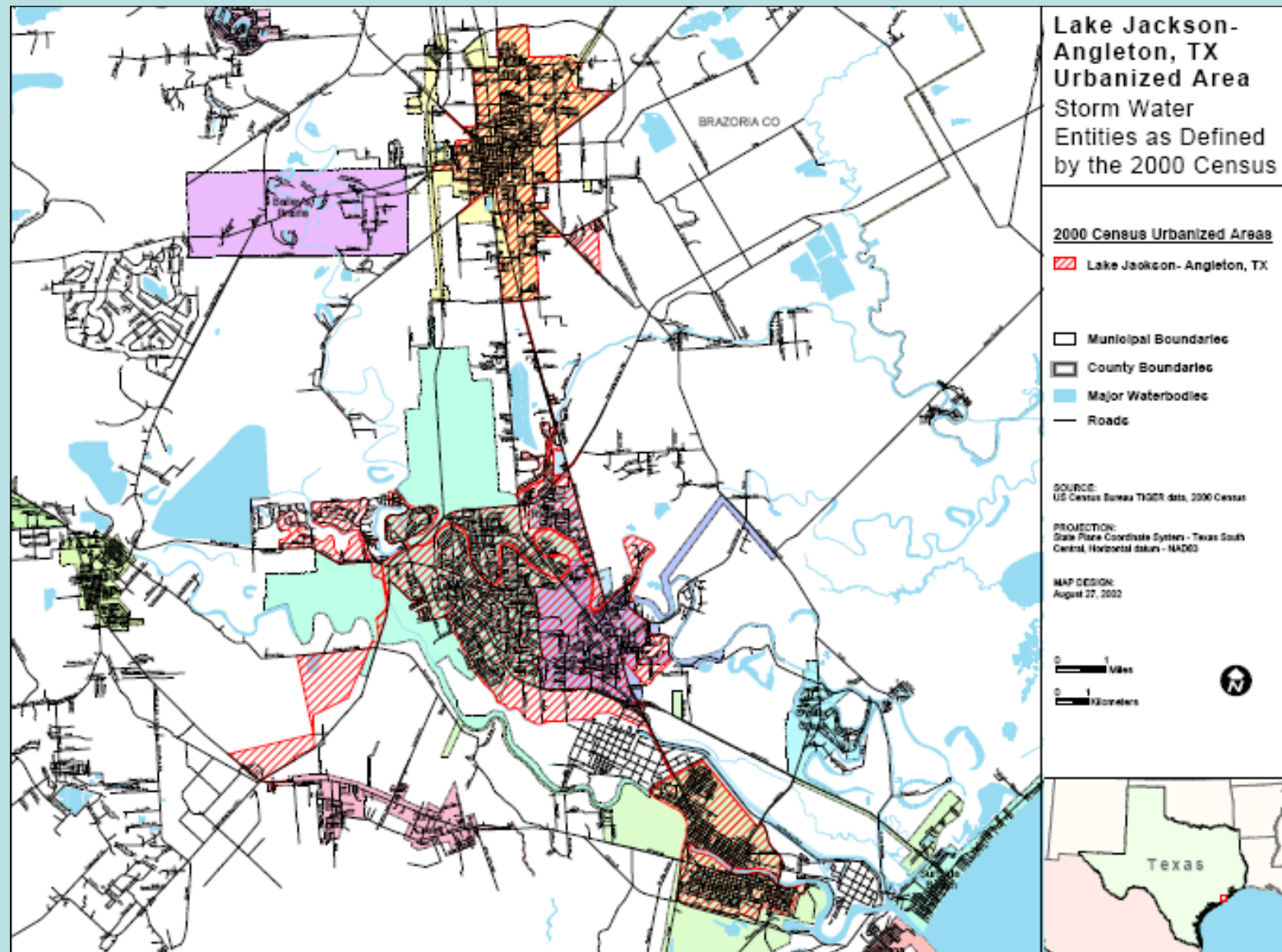
Goals:

- ♦ To reduce the discharge of pollutants to the “maximum extent practicable” through the use of best management practices (BMPs)
- ♦ To protect water quality
- ♦ To satisfy the requirements of the CWA

Requirements of Phase II permitting

- ♦ Implement BMPs
- ♦ Develop, implement, and enforce a stormwater management program. Must include the **6 minimum control measures, a schedule for implementation and measures for reporting on each goals progress:**
 - ♦ Public education and outreach on stormwater impacts
 - ♦ Public participation/involvement
 - ♦ Illicit discharge detection and elimination
 - ♦ Construction site stormwater runoff control
 - ♦ Post-construction stormwater management in new development/redevelopment
 - ♦ Pollution prevention/good housekeeping

Brazoria County Storm Water Coalition Regulated Areas



Brazoria County Storm Water Coalition

MS4 Permit Requirements (Construction)

Construction Site Storm Water Runoff Control

The MS4 operator, to the extent allowable under State and local law, must develop, implement, and enforce a program to reduce pollutants in any storm water runoff to the small MS4 from construction activities that result in a land disturbance of greater than or equal to one acre or if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more of land. The MS4 operator is not required to develop, implement, and/or enforce a program to reduce pollutant discharges from sites where the construction site operator has obtained a waiver from permit requirements under NPDES or TPDES construction permitting requirements based on a low potential for erosion.

- (a) The program must include the development and implementation of, at a minimum, an ordinance or other regulatory mechanism to require erosion and sediment controls, as well as sanctions to ensure compliance, to the extent allowable under state and local law.

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MS4 Permit Requirements

- (b) Requirements for construction site contractors to, at a minimum:
 - (1) implement appropriate erosion and sediment control BMPs; and
 - (2) control waste such as discarded building materials, concrete truck washout water, chemicals, litter, and sanitary waste at the construction site that may cause adverse impacts to water quality.
- (c) The MS4 operator must develop procedures for:
 - (1) site plan review which incorporate consideration of potential water quality impacts;
 - (2) receipt and consideration of information submitted by the public; and
 - (3) site inspection and enforcement of control measures to the extent allowable under state and local law.

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MS4 Permit Requirements (Post-construction)

Post-Construction Storm Water Management in New Development and Redevelopment

To the extent allowable under state and local law, the MS4 operator must develop, implement, and enforce a program to address storm water runoff from new development and redevelopment projects that disturb greater than or equal to one acre of land, including projects less than one acre that are part of a larger common plan of development or sale that will result in disturbance of one or more acres, that discharge into the small MS4. The program must ensure that controls are in place that would prevent or minimize water quality impacts. The permittee shall:

- (a) Develop and implement strategies which include a combination of structural and/or non-structural BMPs appropriate for the community;
- (b) Use an ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects to the extent allowable under state and local law; and
- (c) Ensure adequate long-term operation and maintenance of BMPs.

Important TCEQ Definitions

Commencement of Construction - The initial disturbance of soils associated with clearing, grading, or excavation activities, as well as other construction-related activities (e.g., stockpiling of fill material, demolition)

Common Plan of Development - A construction activity that is completed in separate stages, separate phases, or in combination with other construction activities. A common plan of development (also known as a “common plan of development or sale”) is identified by the documentation for the construction project that identifies the scope of the project, and may include plats, blueprints, marketing plans, contracts, building permits, a public notice or hearing, zoning requests, or other similar documentation and activities. A common plan of development does not necessarily include all construction projects within the jurisdiction of a public entity (e.g., a city or university). Construction of roads or buildings in different parts of the jurisdiction would be considered separate “common plans,” with only the interconnected parts of a project being considered part of a “common plan” (e.g., a building and its associated parking lot and driveways, airport runway and associated taxiways, a building complex, etc.). Where discrete construction projects occur within a larger common plan of development or sale but are located $\frac{1}{4}$ mile or more apart, and the area between the projects is not being disturbed, each individual project can be treated as a separate plan of development or sale, provided that any interconnecting road, pipeline or utility project that is part of the same “common plan” is not included in the area to be disturbed.

Brazoria County Storm Water Coalition

Response to Requirements

- Developed and submitted a storm water management program describing compliance activities
- Cities in Brazoria county developed a storm water ordinance and court order requiring storm water permits for construction activities and prohibiting illicit discharges
- Developed permit application forms and guidance documents storm water permits

What it means for private construction within the regulated area?

- All construction resulting in a soil disturbance of greater than 1 acre or less than 1 acre but part of a larger common plan of development will require **storm water permit** coverage within the regulated area.
- All regulated construction sites will be required to comply with the **TCEQ construction general permit** and local storm water permits

How to apply for a storm water permit?

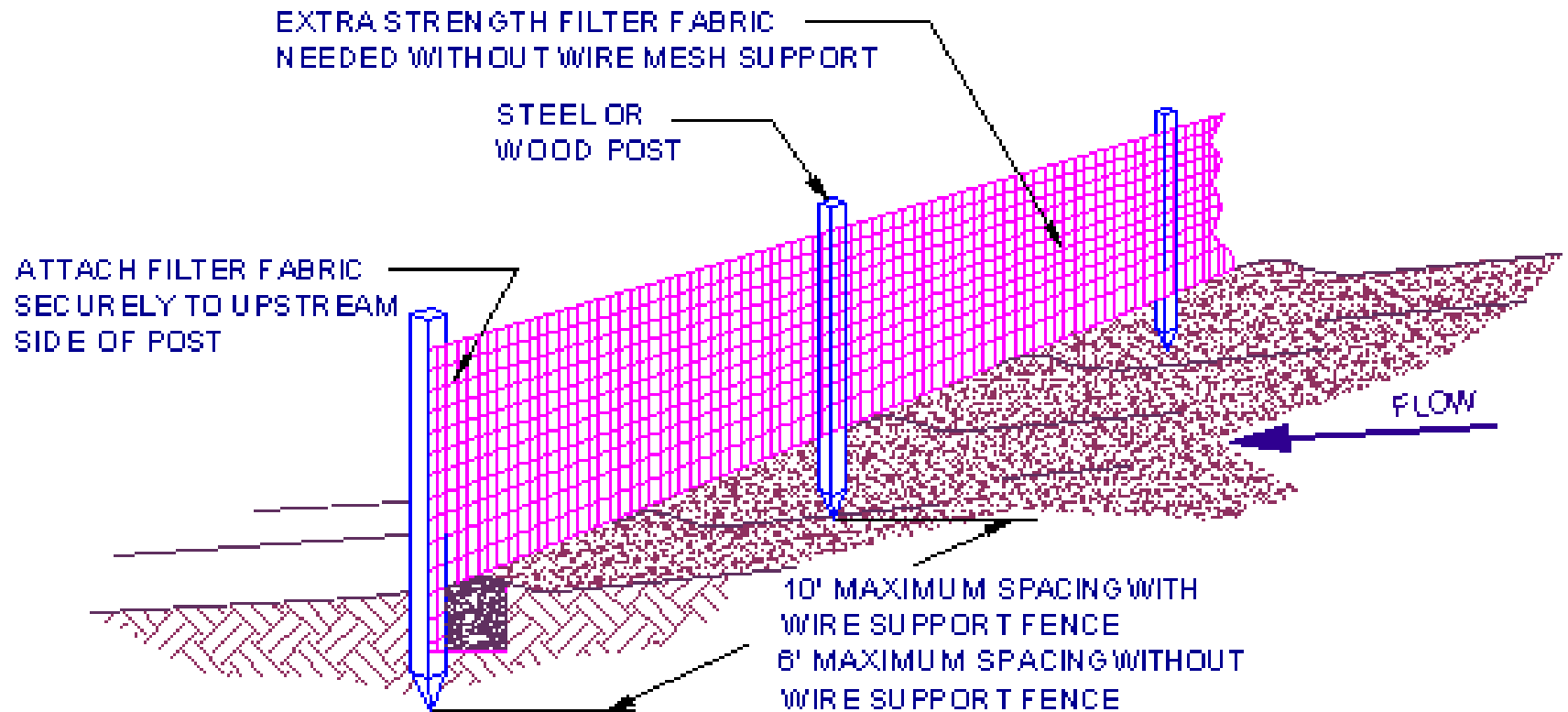
- Prepare a storm water pollution prevention plan (SWP3)
- Complete the storm water permit application form
- Pay the storm water permit fee when applying for a building or development permit

Brazoria County Storm Water Quality Coalition Webpage

www.ms4web.com/BCSWQC

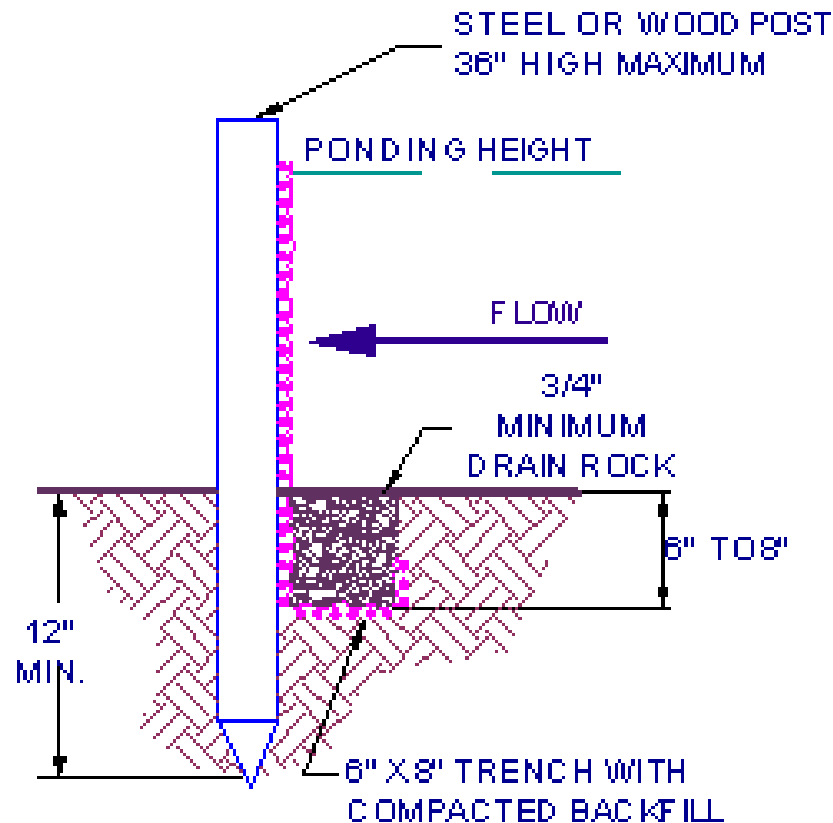
Construction BMPs (Erosion)

Silt Fence

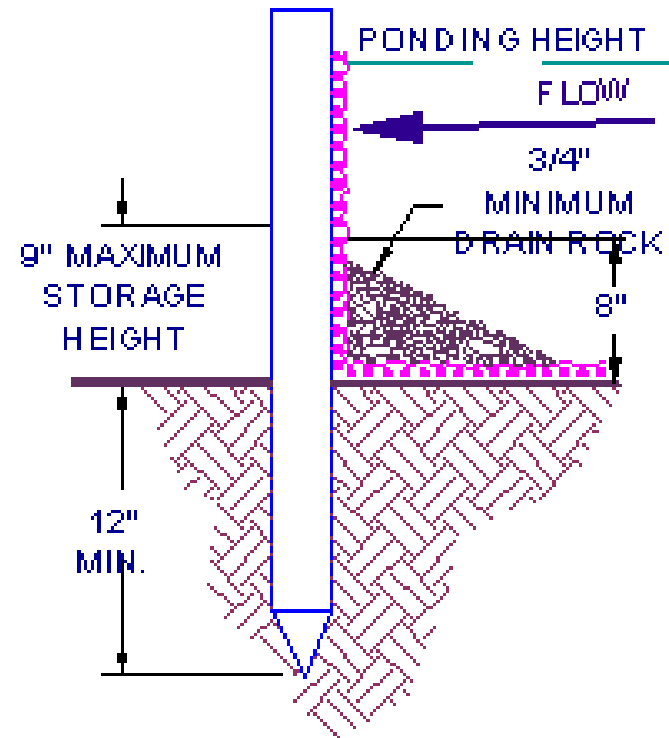


Construction BMPs (Erosion)

Silt Fence



TRENCH DETAIL



INSTALLATION WITH OUT TRENCHING

Construction BMPs (Erosion)

Hay (Straw) Bales

- ♦ Hay Bales – Use to intercept small drainage areas of disturbed soils to reduce offsite transport of sediment.
 - ♦ Stake firmly in place with two 2"x2" wooden stakes or 1" metal stakes in the center of each bale
 - ♦ Ramp 6 inches of compacted fill to toe in the disturbed soil side of the bales to prevent flow bypasses
 - ♦ Benefit – Can remove temporarily and replace to allow equipment to move in and out of areas

Construction BMPs (Erosion)

Hay (Straw) Bales



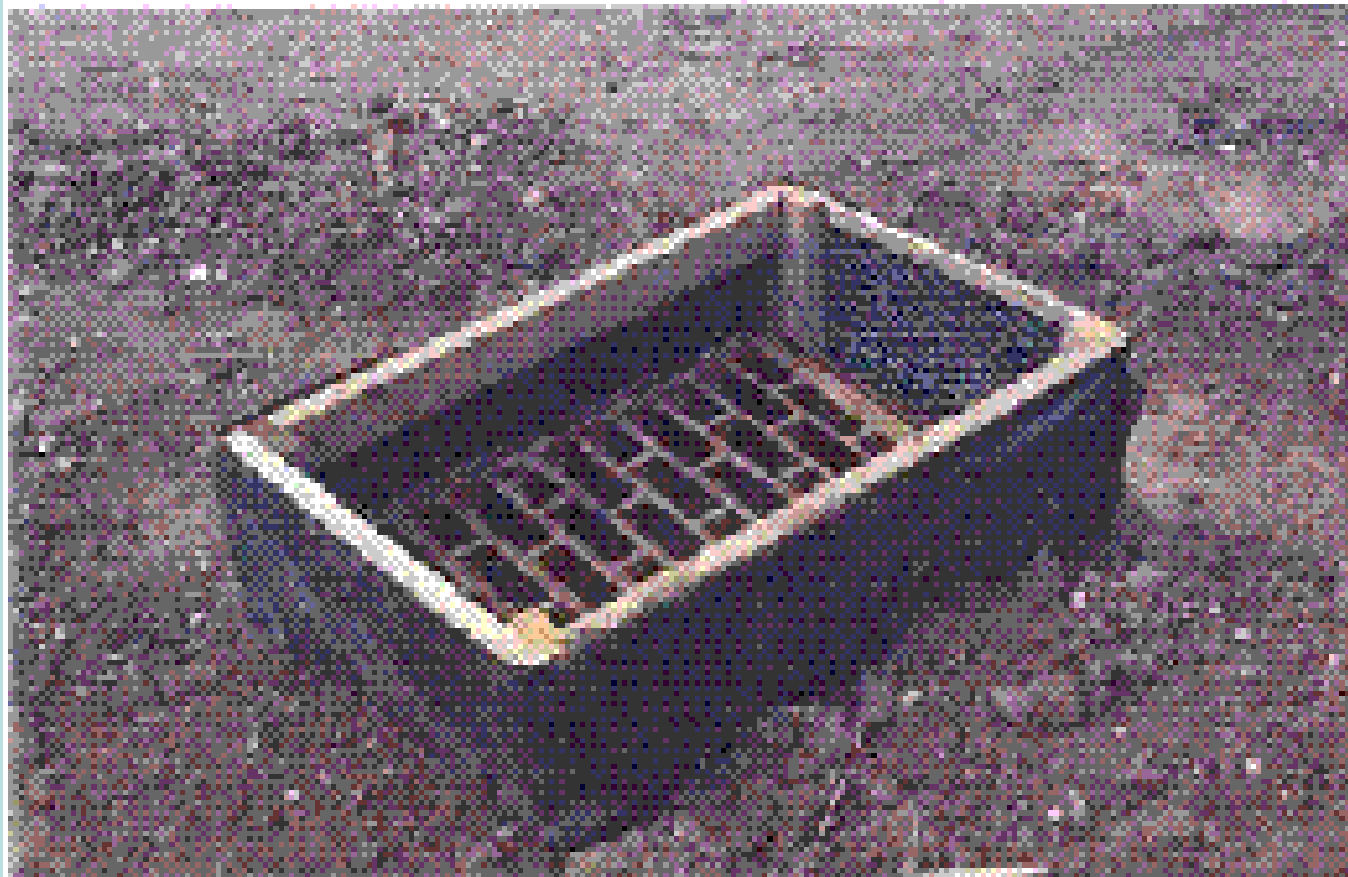
Construction BMPs (Erosion)

Inlet Protection

- ◆ Inlet Protection – Filter Fabric material used in silt fence staked around stormwater inlet structures or many other materials used in the same manner
 - ◆ Use 2" x 2" wooden stakes at each corner of the inlet. Minimum 36" long driven 12 to 18 inches deep. (Stakes no greater than 1 meter apart)
 - ◆ Toe filter fabric material around base of inlet 8 to 10 inches
 - ◆ Wire mesh re-enforcement is recommended

Construction BMPs (Erosion)

Inlet Protection



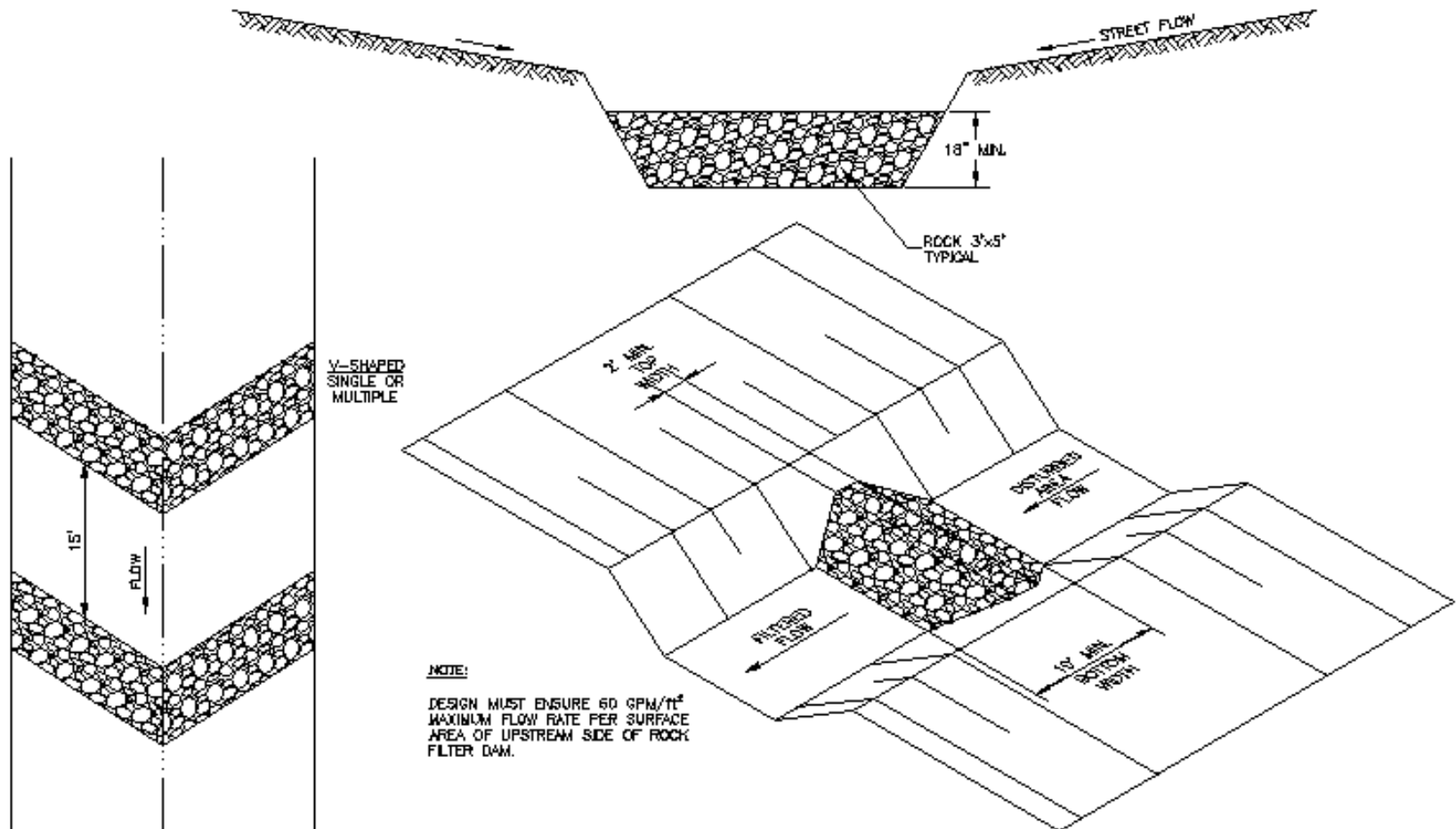
Construction BMPs (Erosion)

Rock Filter Dam

- ◆ Rock Filter Dam – Use to intercept channelized drainage from small to medium drainage areas in order to trap sediment and dissipate channel velocity
- ◆ Typically constructed of 3" x 5" rock or larger (same material can be used as stabilized construction site entrances)
- ◆ Minimum 18" in height, 10 feet length with a minimum of 2 foot of top length, width equal to the channel width
- ◆ Benefits: Low maintenance, can serve a single control measure for larger area, much more suitable for channelized flow than silt fence or hay bales
- ◆ Maintenance: Remove sediment when sediment is 50% of the height of rock dam. (Example 18" height and sediment build-up greater than 9" in height)

Construction BMPs (Erosion)

ROCK FILTER DAM



Additional Online Resources

- ◆ http://cfpubl.epa.gov/npdes/stormwater/menuofbmps/con_site.cfm
- ◆ <http://www.cicacenter.org/>
- ◆ <http://www.epa.gov/reg3wapd/stormwater/construction.htm>

Search on “Erosion Controls” or “Stormwater Controls”



05/14/2008



05/14/2008



05/14/2008



3530

Union Tool

05/14/2008



05/14/2008



05/14/2008



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LANGHAM
ROLL-OFF SERVICE
(409) 246-3789



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JOHNIE
ON THE
SPOT

724-6647

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TCEQ

TPDES

Construction

General

Permit

2/15/2008



TEXAS COMMISSION ON ENVIRONMENTAL
QUALITY

P.O. BOX 13087
Austin, TX 78711-3087

TCEQ Docket No. 2007-1588-WQ

TPDES General Permit No. TXR150000

This is a renewal of TPDES
General Permit No. TXR150000,
issued March 5, 2003.

GENERAL PERMIT TO DISCHARGE WASTES

under provisions of
Section 402 of the Clean Water Act
and Chapter 26 of the Texas Water Code

Construction sites that discharge storm water associated with construction activity

located in the state of Texas

may discharge to surface water in the state

only according to effluent limitations, monitoring requirements and other conditions set forth in this permit, as well as the rules of the Texas Commission on Environmental Quality (TCEQ), the laws of the State of Texas, and other orders of the TCEQ. The issuance of this general permit does not grant to the permittee the right to use private or public property for conveyance of storm water and certain non-storm water discharges along the discharge route. This includes property belonging to but not limited to any individual, partnership, corporation or other entity. Neither does this permit authorize any invasion of personal rights nor any violation of federal, state, or local laws or regulations. It is the responsibility of the permittee to acquire property rights as may be necessary to use the discharge route.

This permit and the authorization contained herein shall expire at midnight on March 5, 2013.

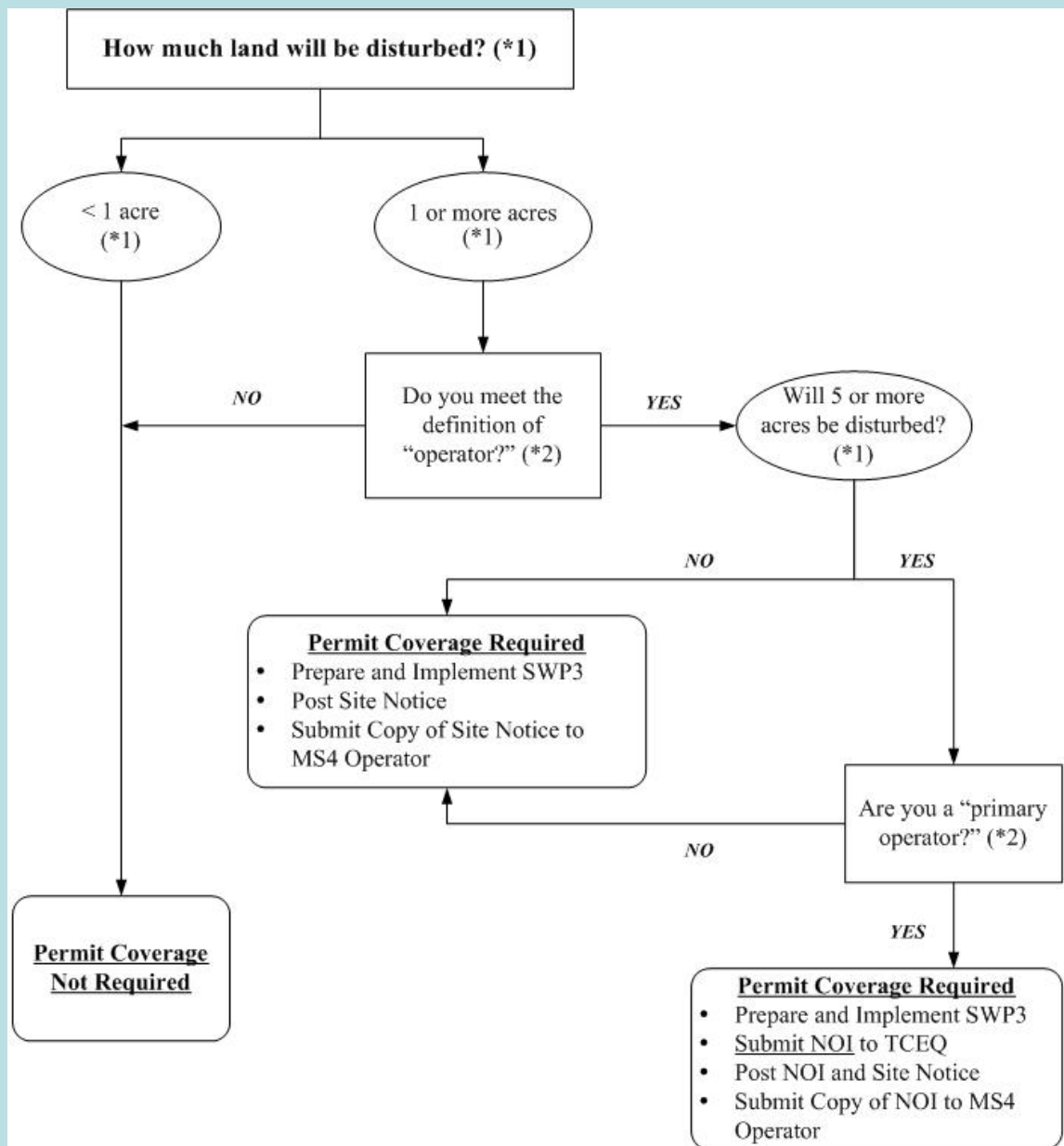
EFFECTIVE DATE: March 5, 2008

ISSUED DATE: FEB 15 2008

Buddy Corcoran
For the Commission

Page 3

Diagram indicating permit applicability and process



(*1) To determine the size of the construction project, use the size of the entire area to be disturbed, and include the size of the larger common plan of development or sale, if the project is part of a larger project (refer to Part I.B., "Definitions," for an explanation of "larger common plan of development or sale").

(*2) Refer to the definitions for "operator," "primary operator," and "secondary operator" in Part I., Section B. of this permit.

Page 4 - Important Definitions

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Page 7 - Important Definitions

Operator - The person or persons associated with a large or small construction activity that is either a primary or secondary operator as defined below:

Primary Operator – the person or persons associated with a large or small construction activity that meets either of the following two criteria:

- (a) the person or persons have operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications; or
- (b) the person or persons have day-to-day operational control of those activities at a construction site that are necessary to ensure compliance with a storm water pollution prevention plan (SWP3) for the site or other permit conditions (e.g., they are authorized to direct workers at a site to carry out activities required by the SWP3 or comply with other permit conditions).

Secondary Operator – The person whose operational control is limited to the employment of other operators or to the ability to approve or disapprove changes to plans and specifications. A secondary operator is also defined as a primary operator and must comply with the permit requirements for primary operators if there are no other operators at the construction site.

Page 8 - Important Definitions

Small Construction Activity - Construction activities including clearing, grading, and excavating that result in land disturbance of equal to or greater than one (1) acre and less than five (5) acres of land. Small construction activity also includes the disturbance of less than one (1) acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than one (1) and less than five (5) acres of land. Small construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the site (e.g., the routine grading of existing dirt roads, asphalt overlays of existing roads, the routine clearing of existing right-of-ways, and similar maintenance activities.)

Large Construction Activity - Construction activities including clearing, grading, and excavating that result in land disturbance of equal to or greater than five (5) acres of land. Large construction activity also includes the disturbance of less than five (5) acres of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than five (5) acres of land. Large construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the site (e.g., the routine grading of existing dirt roads, asphalt overlays of existing roads, the routine clearing of existing right-of-ways, and similar maintenance activities.)

Page 9 - Permit Applicability

Part II. Permit Applicability and Coverage

Section A. Discharges Eligible for Authorization

1. Storm Water Associated with Construction Activity

Discharges of storm water runoff from small and large construction activities may be authorized under this general permit.

Page 11 - Concrete Truck Wash Out

Section B. Concrete Truck Wash Out

The washout of concrete trucks associated with off-site production facilities may be conducted at regulated construction sites in accordance with the requirements of Part V of this general permit.

- **Not in or near the City storm drains**
- **Can be washed out upstream of appropriate controls such as silt fence.**

Page 14 - Deadlines: Large Sites

Section D. Deadlines for Obtaining Authorization to Discharge

1. Large Construction Activities

- (a) New Construction - Discharges from sites where the commencement of construction occurs on or after the effective date of this general permit must be authorized, either under this general permit or a separate TPDES permit, prior to the commencement of those construction activities.
- (b) Ongoing Construction - Operators of large construction activities continuing to operate after the effective date of this permit, and authorized under TPDES general permit TXR150000 (issued March 5, 2003), must submit an NOI to renew authorization under this general permit within 90 days of the effective date of this general permit. During this interim period, as a requirement of this TPDES permit, the operator must continue to meet the conditions and requirements of the previous TPDES permit.

Page 14 - Deadlines: Small Sites

2. Small Construction Activities

- (a) New Construction - Discharges from sites where the commencement of construction occurs on or after the effective date of this general permit must be authorized, either under this general permit or a separate TPDES permit, prior to the commencement of those construction activities.
- (b) Ongoing Construction - Discharges from ongoing small construction activities that commenced prior to the effective date of this general permit, and that would not meet the conditions to qualify for termination of this permit as described in Part II.E. of this general permit, must meet the requirements to be authorized, either under this general permit or a separate TPDES permit, within 90 days of the effective date of this general permit. During this interim period, as a requirement of this TPDES permit, the operator must continue to meet the conditions and requirements of the previous TPDES permit.

Page 23 - Individual Permits

Section H. Alternative TPDES Permit Coverage

1. Individual Permit Alternative

Any discharge eligible for coverage under this general permit may alternatively be authorized under an individual TPDES permit according to 30 TAC Chapter 305 (relating to Consolidated Permits). Applications for individual permit coverage should be submitted at least three hundred and thirty (330) days prior to commencement of construction activities to ensure timely issuance.

2. Individual Permit Required

The executive director may suspend an authorization or deny an NOI in accordance with the procedures set forth in 30 TAC Chapter 205 (relating to General Permits for Waste Discharges), including the requirement that the executive director provide written notice to the permittee. The executive director may require an operator of a construction site, otherwise eligible for authorization under this general permit, to apply for an individual TPDES permit in the following circumstances:

- (a) the conditions of an approved total maximum daily load (TMDL) limitation or TMDL implementation plan on the receiving stream;

Page 25 - Shared SWP3 Development

Section A. Shared SWP3 Development

For more effective coordination of BMPs and opportunities for cost sharing, a cooperative effort by the different operators at a site is encouraged. Operators must independently obtain authorization, but may work together to prepare and implement a single, comprehensive SWP3 for the entire construction site.

1. The SWP3 must clearly list the name and, for large construction activities, the general permit authorization numbers, for each operator that participates in the shared SWP3. Until the TCEQ responds to receipt of the NOI with a general permit authorization number, the SWP3 must specify the date that the NOI was submitted to TCEQ by each operator. Each operator participating in the shared plan must also sign the SWP3.
2. The SWP3 must clearly indicate which operator is responsible for satisfying each shared requirement of the SWP3. If the responsibility for satisfying a requirement is not described in the plan, then each permittee is entirely responsible for meeting the requirement within the boundaries of the construction site where they perform construction activities. The SWP3 must clearly describe responsibilities for meeting each requirement in shared or common areas.

Page 27 - 35 - Contents of the SWP3

Section F. Contents of SWP3

The SWP3 must include, at a minimum, the information described in this section.

1. A site or project description, which includes the following information:
 - (a) a description of the nature of the construction activity;
 - (b) a list of potential pollutants and their sources;

Page 27 - 35 - Contents of the SWP3 Continued

- (c) a description of the intended schedule or sequence of activities that will disturb soils for major portions of the site;
- (d) the total number of acres of the entire property and the total number of acres where construction activities will occur, including off-site material storage areas, overburden and stockpiles of dirt, and borrow areas that are authorized under the permittee's NOI;
- (e) data describing the soil or the quality of any discharge from the site;
- (f) a map showing the general location of the site (e.g. a portion of a city or county map);
- (g) a detailed site map (or maps) indicating the following:
 - (i) drainage patterns and approximate slopes anticipated after major grading activities;
 - (ii) areas where soil disturbance will occur;

Page 27 - 35 - Contents of the SWP3 Continued

- (iii) locations of all major structural controls either planned or in place;
- (iv) locations where temporary or permanent stabilization practices are expected to be used;
- (v) locations of construction support activities, including off-site activities, that are authorized under the permittee's NOI, including material, waste, borrow, fill, or equipment storage areas;
- (vi) surface waters (including wetlands) either at, adjacent, or in close proximity to the site;
- (vii) locations where storm water discharges from the site directly to a surface water body or a municipal separate storm sewer system; and
- (viii) vehicle wash areas.

Where the amount of information required to be included on the map would result in a single map being difficult to read and interpret, the operator shall develop a series of maps that collectively include the required information.

Page 27 - 35 - Contents of the SWP3 Continued

- (h) the location and description of support activities authorized under the permittee's NOI, including asphalt plants, concrete plants, and other activities providing support to the construction site that is authorized under this general permit;
- (i) the name of receiving waters at or near the site that may be disturbed or that may receive discharges from disturbed areas of the project;
- (j) a copy of this TPDES general permit, and
- (k) the notice of intent (NOI) and acknowledgement certificate for primary operators of large construction sites, and the site notice for small construction sites and for secondary operators of large construction sites.

Page 27 - 35 - Contents of the SWP3 Continued

2. A description of the best management practices (BMPs) that will be used to minimize pollution in runoff.

The description must identify the general timing or sequence for implementation. At a minimum, the description must include the following components:

- (a) General Requirements
 - (i) Erosion and sediment controls must be designed to retain sediment on-site to the extent practicable with consideration for local topography, soil type, and rainfall.
 - (ii) Control measures must be properly selected, installed, and maintained according to the manufacturer's or designer's specifications.
 - (iii) Controls must be developed to minimize the offsite transport of litter, construction debris, and construction materials.

Page 27 - 35 - Contents of the SWP3 Continued

(b) Erosion Control and Stabilization Practices

The SWP3 must include a description of temporary and permanent erosion control and stabilization practices for the site, including a schedule of when the practices will be implemented. Site plans should ensure that existing vegetation is preserved where it is possible.

- (i) Erosion control and stabilization practices may include but are not limited to: establishment of temporary or permanent vegetation, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of existing trees and vegetation, slope texturing, temporary velocity dissipation devices, flow diversion mechanisms, and other similar measures.
- (ii) The following records must be maintained and either attached to or referenced in the SWP3, and made readily available upon request to the parties listed in Part III.D.1 of this general permit:
 - (A) the dates when major grading activities occur;
 - (B) the dates when construction activities temporarily or permanently cease on a portion of the site; and
 - (C) the dates when stabilization measures are initiated.

Page 27 - 35 - Contents of the SWP3 Continued

- (iii) Erosion control and stabilization measures must be initiated as soon as practicable in portions of the site where construction activities have temporarily ceased. Stabilization measures that provide a protective cover must be initiated as soon as practicable in portions of the site where construction activities have permanently ceased. Except as provided in (A) through (D) below, these measures must be initiated no more than 14 days after the construction activity in that portion of the site has temporarily or permanently ceased:
 - (A) Where the initiation of stabilization measures by the 14th day after construction activity temporarily or permanently ceased is precluded by snow cover or frozen ground conditions, stabilization measures must be initiated as soon as practicable.
 - (B) Where construction activity on a portion of the site has temporarily ceased, and earth disturbing activities will be resumed within 21 days, temporary erosion control and stabilization measures are not required on that portion of site.

Page 27 - 35 - Contents of the SWP3 Continued

- (C) In arid areas, semiarid areas, and areas experiencing droughts where the initiation of stabilization measures by the 14th day after construction activity has temporarily or permanently ceased or is precluded by arid conditions, erosion control and stabilization measures must be initiated as soon as practicable. Where vegetative controls are not feasible due to arid conditions, the operator shall install non-vegetative erosion controls. If non-vegetative controls are not feasible, the operator shall install temporary sediment controls as required in Paragraph (D) below.
- (D) In areas where temporary stabilization measures are infeasible, the operator may alternatively utilize temporary perimeter controls. The operator must document in the SWP3 the reason why stabilization measures are not feasible, and must demonstrate that the perimeter controls will retain sediment on site to the extent practicable. The operator must continue to inspect the BMPs at the frequency established in Section III.F.7.(a) for unstabilized sites.

Page 27 - 35 - Contents of the SWP3 Continued

(c) Sediment Control Practices

The SWP3 must include a description of any sediment control practices used to remove eroded soils from storm water runoff, including the general timing or sequence for implementation of controls.

(i) Sites With Drainage Areas of Ten or More Acres

(A) Sedimentation Basin(s)

Page 27 - 35 - Contents of the SWP3 Continued

- (1) A sedimentation basin is required, where feasible, for a common drainage location that serves an area with ten (10) or more acres disturbed at one time. A sedimentation basin may be temporary or permanent, and must provide sufficient storage to contain a calculated volume of runoff from a 2-year, 24-hour storm from each disturbed acre drained. When calculating the volume of runoff from a 2-year, 24-hour storm event, it is not required to include the flows from offsite areas and flow from onsite areas that are either undisturbed or have already undergone permanent stabilization, if these flows are diverted around both the disturbed areas of the site and the sediment basin. Capacity calculations shall be included in the SWP3.
- (2) Where rainfall data is not available or a calculation cannot be performed, the sedimentation basin must provide at least 3,600 cubic feet of storage per acre drained until final stabilization of the site.

Page 27 - 35 - Contents of the SWP3 Continued

- (3) If a sedimentation basin is not feasible, then the permittee shall provide equivalent control measures until final stabilization of the site. In determining whether installing a sediment basin is feasible, the permittee may consider factors such as site soils, slope, available area, public safety, precipitation patterns, site geometry, site vegetation, infiltration capacity, geotechnical factors, depth to groundwater, and other similar considerations. The permittee shall document the reason that the sediment basins are not feasible, and shall utilize equivalent control measures, which may include a series of smaller sediment basins.
- (B) Perimeter Controls: At a minimum, silt fences, vegetative buffer strips, or equivalent sediment controls are required for all down slope boundaries of the construction area, and for those side slope boundaries deemed appropriate as dictated by individual site conditions.

Page 27 - 35 - Contents of the SWP3 Continued

- (ii) Controls for Sites With Drainage Areas Less than Ten Acres:
 - (A) Sediment traps and sediment basins may be used to control solids in storm water runoff for drainage locations serving less than ten (10) acres. At a minimum, silt fences, vegetative buffer strips, or equivalent sediment controls are required for all down slope boundaries of the construction area, and for those side slope boundaries deemed appropriate as dictated by individual site conditions.
 - (B) Alternatively, a sediment basin that provides storage for a calculated volume of runoff from a 2-year, 24-hour storm from each disturbed

acre drained may be utilized. Where rainfall data is not available or a calculation cannot be performed, a temporary or permanent sediment basin providing 3,600 cubic feet of storage per acre drained may be provided. If a calculation is performed, then the calculation shall be included in the SWP3.

Page 27 - 35 - Contents of the SWP3 Continued

3. A Description of Permanent Storm Water Controls

A description of any measures that will be installed during the construction process to control pollutants in storm water discharges that may occur after construction operations have been completed must be included in the SWP3. Permittees are only responsible for the installation and maintenance of storm water management measures prior to final stabilization of the site or prior to submission of an NOT.

4. Other Required Controls and BMPs

- (a) Permittees shall minimize, to the extent practicable, the off-site vehicle tracking of sediments and the generation of dust. The SWP3 shall include a description of controls utilized to accomplish this requirement.
- (b) The SWP3 must include a description of construction and waste materials expected to be stored on-site and a description of controls to minimize pollutants from these materials.
- (c) The SWP3 must include a description of potential pollutant sources from areas other than construction (such as storm water discharges from dedicated asphalt plants and dedicated concrete batch plants), and a description of controls and measures that will be implemented at those sites to minimize pollutant discharges.

Page 27 - 35 - Contents of the SWP3 Continued

- (d) Permittees shall place velocity dissipation devices at discharge locations and along the length of any outfall channel (i.e., runoff conveyance) to provide a non-erosive flow velocity from the structure to a water course, so that the natural physical and biological characteristics and functions are maintained and protected.
 - (e) Permittees shall design and utilize appropriate controls to minimize the offsite transport of suspended sediments and other pollutants if it is necessary to pump or channel standing water from the site.
- 5. Documentation of Compliance with Approved State and Local Plans
 - (a) Permittees must ensure that the SWP3 is consistent with requirements specified in applicable sediment and erosion site plans or site permits, or storm water management site plans or site permits approved by federal, state, or local officials.
 - (b) SWP3s must be updated as necessary to remain consistent with any changes applicable to protecting surface water resources in sediment erosion site plans or site permits, or storm water management site plans or site permits approved by state or local official for which the permittee receives written notice.

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- (c) If the permittee is required to prepare a separate management plan, including but not limited to a Water Pollution Abatement Plan or Contributing Zone Plan in accordance with 30 TAC Chapter 213 (related to the Edwards Aquifer), then a copy of that plan must be either included in the SWP3 or made readily available upon request to authorized personnel of the TCEQ. The permittee shall maintain a copy of the approval letter for the plan in its SWP3.

6. Maintenance Requirements

- (a) All protective measures identified in the SWP3 must be maintained in effective operating condition. If, through inspections or other means, the permittee determines that BMPs are not operating effectively, then the permittee shall perform maintenance as necessary to maintain the continued effectiveness of storm water controls, and prior to the next rain event if feasible. If maintenance prior to the next anticipated storm event is impracticable, the reason shall be documented in the SWP3 and maintenance must be scheduled and accomplished as soon as practicable. Erosion and sediment controls that have been intentionally disabled, run-over, removed, or otherwise rendered ineffective must be replaced or corrected immediately upon discovery.

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- (b) If periodic inspections or other information indicates a control has been used incorrectly, is performing inadequately, or is damaged, then the operator must replace or modify the control as soon as practicable after making the discovery.
- (c) Sediment must be removed from sediment traps and sedimentation ponds no later than the time that design capacity has been reduced by 50%. For perimeter controls such as silt fences, berms, etc., the trapped sediment must be removed before it reaches 50% of the above-ground height.
- (d) If sediment escapes the site, accumulations must be removed at a frequency that minimizes off-site impacts, and prior to the next rain event, if feasible. If the permittee does not own or operate the off-site conveyance, then the permittee must to work with the owner or operator of the property to remove the sediment.

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7. Inspections of Controls

- (a) Personnel provided by the permittee must inspect disturbed areas of the construction site that have not been finally stabilized, areas used for storage of materials that are exposed to precipitation, discharge locations, and structural controls for evidence of, or the potential for, pollutants entering the drainage system. Personnel conducting these inspections must be knowledgeable of this general permit, familiar with the construction site, and knowledgeable of the SWP3 for the site. Sediment and erosion control measures identified in the SWP3 must be inspected to ensure that they are operating correctly. Locations where vehicles enter or exit the site must be inspected for evidence of off-site sediment tracking. Inspections must be conducted at least once every 14 calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater.

- (b) Utility line installation, pipeline construction, and other examples of long, narrow, linear construction activities may provide inspection personnel with limited access to the areas described in Part III.F.8.(a) above. Inspection of these areas could require that vehicles compromise temporarily or even permanently stabilized areas, cause additional disturbance of soils, and increase the potential for erosion. In these circumstances, controls must be inspected at least once every 14 calendar days and within 24 hours of the end of a storm event of 0.5 inches, but representative inspections may be performed. For representative inspections, personnel must inspect controls along the construction site for 0.25 mile above and below each access point where a roadway, undisturbed right-of-way, or other similar feature intersects the construction site and allows access to the areas described in Part III.F.8.(a) above. The conditions of the controls along each inspected 0.25 mile portion may be considered as representative of the condition of controls along that reach extending from the end of the 0.25 mile portion to either the end of the next 0.25 mile inspected portion, or to the end of the project, whichever occurs first.

- (c) In the event of flooding or other uncontrollable situations which prohibit access to the inspection sites, inspections must be conducted as soon as access is practicable.
- (d) The SWP3 must be modified based on the results of inspections, as necessary, to better control pollutants in runoff. Revisions to the SWP3 must be completed within seven (7) calendar days following the inspection. If existing BMPs are modified or if additional BMPs are necessary, an implementation schedule must be described in the SWP3 and wherever possible those changes implemented before the next storm event. If implementation before the next anticipated storm event is impracticable, these changes must be implemented as soon as practicable.
- (e) A report summarizing the scope of the inspection, the date(s) of the inspection, and major observations relating to the implementation of the SWP3 must be made and retained as part of the SWP3. Major observations should include: The locations of discharges of sediment or other pollutants from the site; locations of BMPs that need to be maintained; locations of BMPs that failed to operate as designed or proved inadequate for a particular location; and locations where additional BMPs are needed.

Actions taken as a result of inspections must be described within, and retained as a part of, the SWP3. Reports must identify any incidents of non-compliance. Where a report does not identify any incidents of non-compliance, the report must contain a certification that the facility or site is in compliance with the SWP3 and this permit. The report must be signed by the person and in the manner required by 30 TAC § 305.128 (relating to Signatories to Reports).

The names and qualifications of personnel making the inspections for the permittee may be documented once in the SWP3 rather than being included in each report.

8. The SWP3 must identify and ensure the implementation of appropriate pollution prevention measures for all eligible non-storm water components of the discharge, as listed in Part II.A.3. of this permit.
9. The SWP3 must include the information required in Part III.B. of this general permit.

SMALL CONSTRUCTION SITE NOTICE

FOR THE
Texas Commission on Environmental Quality (TCEQ)
Storm Water Program
TPDES GENERAL PERMIT TXR150000

The following information is posted in compliance with Part II.E.2. of the TCEQ General Permit Number TXR150000 for discharges of storm water runoff from small construction sites. Additional information regarding the TCEQ storm water permit program may be found on the internet at:
http://www.tceq.state.tx.us/nrp/permits/wq_construction.html

Operator Name:	
Contact Name and Phone Number:	
Project Description: <i>Physical address or description of the site's location, estimated start date and projected end date, or date that disturbed soils will be stabilized</i>	
Location of Storm Water Pollution Prevention Plan:	

For Small Construction Activities Authorized Under Part II.E.2. (Obtaining Authorization to Discharge) the following certification must be completed:

I, _____ (Typed or Printed Name Person Completing This Certification) certify under penalty of law that I have read and understand the eligibility requirements for claiming an authorization under Part II.D.2. of TPDES General Permit TXR150000 and agree to comply with the terms of this permit. A storm water pollution prevention plan has been developed and will be implemented prior to construction, according to permit requirements. A copy of this signed notice is supplied to the operator of the MS4 if discharges enter an MS4. I am aware there are significant penalties for providing false information or for conducting unauthorized discharges, including the possibility of fine and imprisonment for knowing violations.

Signature and Title _____ Date _____

Date Notice Received
MS4 operator notified per Part II.F.3.

Must provide your local MS4 (County, City and State Agencies with a copy of this permit application

Attachment 1



SMALL CONSTRUCTION SITE NOTICE: LOW POTENTIAL FOR EROSION

FOR THE
Texas Commission on Environmental Quality (TCEQ)
Storm Water Program

TPDES GENERAL PERMIT TXR150000

The following information is posted in compliance with Part II.E.1. of the TCEQ General Permit Number TXR150000 for discharges of storm water runoff from small construction sites automatically authorized based on low rainfall erosivity. Additional information regarding the TCEQ storm water permit program may be found on the internet at:
http://www.tceq.state.tx.us/tan/permits/wq_construction.html

Operator Name:	
Contact Name and Phone Number:	
Project Description: (Physical address or description of the site's location, estimated start date and projected end date, or date that disturbed soils will be stabilized)	

For Small Construction Sites Authorized Under Part II.E.1., the following certification must be completed:

I, _____ (Typed or Printed Name Person Completing This Certification) certify under penalty of law that I have read and understand the eligibility requirements for claiming an automatic authorization based on low rainfall erosivity under Part II.E.1. of TPDES General Permit TXR150000 and agree to comply with the terms of this permit. Construction activities at this site shall occur within a time period listed in Appendix A of the TPDES general permit for this county, that period beginning on _____ and ending on _____. I understand that if construction activities continue past this period, all storm water runoff must be authorized under a separate provision of the general permit. A copy of this signed notice is supplied to the operator of the MS4 if discharges enter an MS4. I am aware there are significant penalties for providing false information or for conducting unauthorized discharges, including the possibility of fine and imprisonment for knowing violations.

Signature and Title _____ Date _____

Date Notice Received
MS4 operator notified per Part II.F.3.

Low Potential for
Erosion waivers Do not
Apply to Southeast
Texas